

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in compliance with D.N.J. 9004-1(b)

Lavin, Cedrone, Graver, Boyd & DiSipio  
Formed in the State of PA  
Regina Cohen  
190 North Independence Mall West 6<sup>th</sup> & Race  
Streets  
Suite 500  
Philadelphia, PA 19106  
Tel: (215) 351-7551  
Fax: (215) 627-2551  
E-mail: RCohen@lavin-law.com  
Attorney for Movant

**IN RE:**  
**FREDERICO C MAGALHAES, Debtor**  
**and CONCRETE SOLUTIONS NJ LLC,**  
**Codebtor**



Order Filed on May 8, 2023  
by Clerk,  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 22-13079-SLM

Chapter 13

Judge: Stacey L. Meisel

**CONSENT ORDER MODIFYING STAY AS TO MOTOR  
VEHICLE**

**2022 Chevrolet Silverado 2500 HD Crew Cab Custom 4WD 6.6L V8 T-  
Diesel**

The relief set forth on the following pages, number two (2) through three (3) is hereby **ORDERED**.

**DATED: May 8, 2023**

A handwritten signature in cursive script that reads "Stacey L. Meisel".  
\_\_\_\_\_  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

1. The 11 USC §362(a) Automatic Stay and the 11 USC § 1301 Codebtor Stay as to Ally Capital, its successors and/or assigns ("Movant"), with respect to the personal property of the Debtor described as a 2022 Chevrolet Silverado 2500 HD Crew Cab Custom 4WD 6.6L V8 T-Diesel, V.I.N. 1GC4YMEY6NF186521, in accordance with the agreement of the Debtor and Movant, is hereby modified and shall remain in effect PROVIDED THAT Debtor comply with the following terms and conditions:
  - a. The Debtor will resume making regular monthly installment payment in the amount of \$1,122.12 as they become due Commencing on May 26, 2023.
  - b. The Debtor will cure post-petition arrears due in the total amount of \$10,865.44 on or before May 05, 2023.
2. The term " payment" as set forth in Paragraph 1, *supra*, does not include a check that is returned due to insufficient funds, account closed or is otherwise not capable of negotiation for any other reason.
3. Debtor will be in default under the Consent Order in the event that Debtor fails to comply with the payment terms and conditions set forth in above Paragraph 1, *supra*. If Debtor fails to cure the default within thirty (30) days from the date of default, Movant may apply on five days' notice to Debtor, Codebtor, Counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. §362(a) and codebtor stay imposed under 11 U.S.C. §1301 and permitting Movant to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating and completing a sale of the motor vehicle without regard to any future conversion of this matter to a different form of bankruptcy.
4. In the event Debtor convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtor shall pay all pre-petition arrears and post-petition delinquent payments, fees, and charges due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtor fails to make payments in accordance with this paragraph, then Movant, through counsel, may file a Certification of Default setting forth and failure and Movant shall be granted immediate relief from the automatic stay and Codebtor stay under the provisions of Section 362 of the Bankruptcy Code (11 U.S.C. §362) and under the provisions of Section 1301 of the Bankruptcy Code (11 U.S.C. §1301) the Movant is

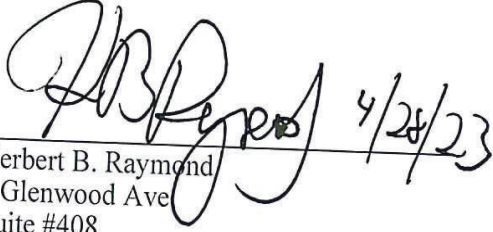
Debtor: Frederico C. Magallanes  
Case No.: 22-13079-SLM  
Certificate of Notice Page 3 of 5


Caption of Order: Consent Order Modifying Stay as to Motor Vehicle

then permitted to exercise any rights under the loan documents with respect to the motor vehicle including, but not limited to, initiating, and completing a sale of the motor vehicle. The failure of Movant to issue a notice of default will not be construed or act as a waiver of any of the rights of Movant under the Consent Order.

5. The debtor waives the fourteen (14) day stay provided under Rule 4001(a)(3), F.R.B.P.

**We hereby consent to the form and entry of the foregoing Order.**

  
Herbert B. Raymond  
7 Glenwood Ave  
Suite #408  
4th Floor  
East Orange, NJ 07017  
herbertraymond@gmail.com  
Attorney for Debtor

  
Lavin, Cedrone, Graver, Boyd & DiSipio  
Formed in the State of PA  
Regina Cohen  
190 North Independence Mall West 6<sup>th</sup>  
& Race Streets  
Suite 500  
Philadelphia, PA 19106  
Tel: (215) 351-7551  
Fax: (215) 627-2551  
E-mail: RCohen@lavin-law.com  
Attorney for Movant

In re:  
Frederico C Magalhaes  
Debtor

Case No. 22-13079-SLM  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: May 08, 2023

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 10, 2023:

Recip ID	Recipient Name and Address
db	+ Frederico C Magalhaes, 176 Central Avenue, West Caldwell, NJ 07006-7747

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 10, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 8, 2023 at the address(es) listed below:

Name	Email Address
David Thomas Shivas	on behalf of Creditor Mark and Jennifer O'Connor dshivas@bsblawgroup.com
Denise E. Carlon	on behalf of Creditor Lakeview Loan Servicing LLC dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Elizabeth K. Holdren	on behalf of Creditor Caterpillar Financial Services Corporation eholdren@hillwallack.com jhanley@hillwallack.com;hwbknj@hillwallack.com;eholdren@ecf.courtdrive.com
Herbert B. Raymond	on behalf of Debtor Frederico C Magalhaes herbertraymond@gmail.com raymondmail@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com;herbertraymond5967@yahoo.com;raymondlaw5622@gmail.com;courtemails789@gmail.com
John R. Morton, Jr.	on behalf of Creditor Daimler Trust ecfmail@mortoncraig.com mortoncraigeef@gmail.com

District/off: 0312-2

User: admin

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Date Rcvd: May 08, 2023

Form ID: pdf903

Total Noticed: 1

John R. Morton, Jr.

on behalf of Creditor Daimler Truste c/o BK Servicing LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com

Marie-Ann Greenberg

magecf@magtrustee.com

Regina Cohen

on behalf of Creditor Ally Capital rcohen@lavin-law.com mmalone@lavin-law.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9